

Lyndhurst, Ohio
February 1, 2016

The Council of the City of Lyndhurst held its Regular Meeting on Monday, February 1, 2016 at 7:32 P.M., Acting Vice Mayor David A. Frey, presiding.

Members Present: Council Representatives J. A. Marko, J. Price, J. A. Gambatese, A. Mendelsohn, C. A. LoPresti.

Others Present: P.A. Ward, Mayor;
P. T. Murphy, Director of Law;
R. F. Porrello, Chief of Police;
F. E. Glady III, Director of Service;
M. A. Kovalchik, Director of Finance;
M. J. Carroll, Chief of Fire;
J. Maichle, Building Commissioner;
M. A. Franco, Assistant Clerk of Council.

Absent: L. A. Schlessel, Vice Mayor.

The Oath of Office was administered to John Maichle, Building Commissioner.

It was moved by Mr. Marko, seconded by Mr. Price, that the reading of the minutes of the Regular Meeting of Council held Monday, January 18, 2016, copies of which were mailed to all Members, be dispensed with and said minutes stand approved as circulated.

The question was put to a voice vote and passed unanimously.

MAYOR'S REPORT – Mayor Ward had no report.

FINANCE COMMITTEE – Chairman Marko said he met with department heads to discuss capital requests. Mr. Marko stated a Finance Committee Meeting is scheduled for February 24, 2016 at 6:00PM.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Price had no report.

ROADS AND UTILITIES COMMITTEE – Chairman Gambatese stated the committee met this evening prior to the Council Meeting and minutes will be forthcoming.

SERVICE AND SEWERS COMMITTEE – Chairman Marko stated the committee met this evening prior to the Council Meeting and minutes will be forthcoming.

SAFETY COMMITTEE – Chairman LoPresti stated the Fire Department offers free smoke detectors to residents that meet certain criteria.

LEGISLATIVE COMMITTEE – Chairman Frey had no report.

PLANNING COMMISSION – Mr. Frey stated the Planning Commission met last Monday to discuss a lot consolidation, recommendation is made to Council to grant the request.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION – Cassandra Jones said ninth grade student, Elena Flores, participated in the “Happy Birthday Dr. King!” Birthday Card Contest and won her grade category. She received a \$500 scholarship and trophy in addition to being able to attend the Dr. Martin Luther King, Jr. Holiday Breakfast Celebration.

Ms. Jones stated both Brush High School Mock Trial teams attended the Ohio Mock Trial Competition at the Cuyahoga County Justice Center. Brush earned a berth at the regional competition for the first time in school history, which takes place at the Cuyahoga County Courthouse on February 19, 2016.

Ms. Jones said the Superintendent is still going full force, and she continues to nurture the relationship with the two municipal partners. Ms. Jones thanked the City of Lyndhurst for the support to the school district and said the district has no intentions of being on November’s ballot.

Ms. Jones aired Brush’s Prom Fashion Show will be held on Friday, February 26th at 7:00PM.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that Ordinance Number 2016-9 be added to the Agenda.

Roll Call: Yeas: Marko, Price, Gambatese, Mendelsohn, Frey, LoPresti.
Nays: None.

Motion carried.
Ordinance Number 2016-9 is
added to the Agenda.

The meeting was opened to public comment.

The following residents voiced thoughts and or concerns about deer, deer trapping and culling:

Dennis A. Simcak, 5656 Falkirk
Miriam Weiss, 5096 Dogwood Trail
Jill Walker, 5167 Haverford
Barbara Bruck, 4907 Clubside
Daniel Weiss, 5096 Dogwood Trail
Janet Fillmore, 5295 Lynd
Lauren Barber, 5022 Corliss
Tina Tricarichi, 5610 Chelmsford
Virginia Kohler, 1291 Irene
Kim Sillitoe, 5279 Haverford
Lynda Schreibman, 5392 Meadow Wood
E. Dale Inkley, 5126 E. Farnhurst
Roxanne O'Brien Troke, 5212 Hickory

Mayor Ward read the following into the record:

It is not often we have such a large gathering at our Council meetings so, thank you everyone for coming. The topic of deer is one we hear about often; often in these chambers, often at community meetings, often in conversations on the phone and on our streets. For the past ten years these conversations have been far more frequent as our deer population has grown out of control.

Let me state, for the record, deer do not bother me and in my yard they appear in far greater number than in most; they do, however concern me.

The deer that we have, in the numbers we have, is not sustainable, the number of deer-vehicle interactions and deer-human interactions have increased tremendously and this is a problem. It is a problem that has been identified repeatedly.

There are times when we, as public officials, must deal with unpopular, unsavory, unreasonable and unpleasant matters and handling this problem is one of them.

We have been working on this for nearly 10 years and have studied a variety of means to address it. When Legislation was passed to allow hunting on certain parcels in the City there was push-back but it was at least one way to start to reduce the deer herd; however the only parcels large enough for this activity are in one corner of the City.

Last year, Mayor Cicero at Council's request, began the process of seeking a permit to cull deer by trapping and euthanizing. We talked about this process often over the past months and provided information to our local media from which an article was written. We have been open and candid throughout this process.

The permit was granted by the Division of Wildlife last week.

We have heard from a good many people both for and against our program and the debate is healthy, however, our residents do expect us to act in response to an identified problem.

Of the various methods to deal with our deer population that are identified in our Deer Management plan two are lethal - bow hunting on certain parcels and now trapping and euthanizing - and necessary to affect deer population control throughout our City. We are aware of what has been represented on YouTube and other media but these do not represent the equipment our specialists employ.

While we are moving forward with implementation and continuous evaluation of this program as required by our permit we are still open to reviewing other means of accomplishing our goal of achieving a sustainable deer herd in Lyndhurst.

FIRST READING
ORDINANCE NO. 2016-7
INTRODUCED BY: ADMIN

AN ORDINANCE AMENDING SECTION 1110.02 OF THE PLANNING AND ZONING CODE OF THE CITY TITLED "MEMBERSHIP"

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Ordinance No. 2016-7 be placed on first reading and referred to Planning Commission.

Roll Call: Yeas: Marko, Price, Gambatese, Mendelsohn, Frey, LoPresti.
Nays: None.

Motion carried.
Ordinance No. 2016-7 is placed on first reading.

FIRST READING
ORDINANCE NO. 2016-8
INTRODUCED BY: ADMIN

AN ORDINANCE AMENDING SECTION 1154.02 OF THE PLANNING AND ZONING CODE OF THE CITY TITLED "ORGANIZATION"

It was moved by Mr. Marko, seconded by Mr. Gambatese, that Ordinance No. 2016-8 be placed on first reading and referred to Planning Commission.

Roll Call: Yeas: Marko, Price, Gambatese, Mendelsohn, Frey, LoPresti.
Nays: None.

Motion carried.
Ordinance No. 2016-8 is placed on first reading.

ORDINANCE NO: 2016-9
INTRODUCED BY: ADMIN

AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO ADVERTISE FOR BIDS FOR THE SALE BY NEWSPAPER PUBLICATION OR BY INTERNET AUCTION OF THREE SURPLUS MOTOR VEHICLES, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE HIGHEST BIDDER FOR SUCH MOTOR VEHICLES AND DECLARING AN EMERGENCY

It was moved by Mr. Marko, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-9 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Mendelsohn, Frey, LoPresti.
Nays: None.

Motion carried.
Rules Suspended.

Ordinance No. 2016-9 was highlighted by Mrs. Franco, with Section 6 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Ordinance No. 2016-9 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Mendelsohn, Frey, LoPresti.
Nays: None.

Motion carried.
Ordinance No. 2016-9 is passed.

Planning Commission Recommendations:

Recommendation made to Council to grant request of Vince Ruggieri of Orlean Construction per prospective buyer Clive Hamlin of 5152 River Trail to consolidate Sublots 31 & 32 River Creek.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Council approve the recommendation of the Planning Commission to grant request of Vince Ruggieri of Orlean Construction per prospective buyer Clive Hamlin of 5152 River Trail to consolidate Sublots 31 & 32 River Creek.

Roll Call: Yeas: Marko, Price, Gambatese, Mendelsohn, Frey, LoPresti.
Nays: None.

Motion carried.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that the meeting be adjourned.

The question was put to a voice vote and passed unanimously.

Meeting adjourned at 8:35 P.M.

Approved: February 15, 2016

Attest: _____
Clerk of Council

Vice Mayor